

(d) The proposed organizational structure of the center and the relationship of the proposed center to the applicant organization(s);

(e) The names and qualifications of the center director and key staff members who would be responsible for conducting the proposed activities;

(f) Proposed methods for monitoring and evaluating individual activities and the overall center program;

(g) Proposed methods for coordinating the center's activities, where appropriate, with similar efforts by other public and private organizations;

(h) The availability of any community resources necessary to carry out proposed activities; and

(i) Efforts to be made to generate and collect income from sources other than NIH to be used to further the purposes of the center program. NIH encourages these efforts. Income may include, but is not limited to, that generated from the sale or rental of products or services produced by grant-supported activities, such as laboratory tests, computer time, and payments received from patients or third parties, where appropriate (the disposition of grant-related income is governed by 45 CFR 74.40 through 74.47 and 45 CFR 92.25);

(j) The proposed budget for the center and a justification for the amount of the grant funds requested; and

(k) Any other information that the Director of the awarding institute may request.

[Approved under OMB Control Number 0925-0001]

§ 52a.5 How will NIH evaluate applications?

(a) NIH considers the following in evaluating Center grant applications:

(1) The scientific and technical merit of the proposed program;

(2) The qualifications and experience of the center director and other key personnel;

(3) The statutory and program purposes to be accomplished;

(4) The extent to which the various components of the proposed program would be coordinated into one multidisciplinary effort within the center;

(5) The extent to which the center's activities would be coordinated with similar efforts by other organizations;

(6) The administrative and managerial capability of the applicant;

(7) The reasonableness of the proposed budget in relation to the proposed program; and

(8) Other factors which the awarding institute, center, or division considers appropriate in light of its particular statutory mission.

(b) Where required by statute or NIH policy, applications are reviewed by appropriate national advisory councils or boards before awards are made. NIH grants may be awarded generally only after approval recommendations from both appropriate scientific peer review groups and national advisory councils or boards.

§ 52a.6 Information about grant awards.

(a) The notice of grant award specifies how long NIH intends to support the project without requiring the project to recompete for funds. This period, called the project period, will usually be for 1-5 years.

(b) Generally, the grant will initially be for one year, and subsequent continuation awards will also be for one year at a time. A grantee must submit a separate application to have the support continued for each subsequent year. Decisions regarding continuation awards and the funding level of such awards will be made after consideration of such factors as the grantee's progress and management practices, and the availability of funds. In all cases, continuation awards require a determination by the NIH that continued funding is in the best interest of the Federal Government.

(c) Neither the approval of any application, nor the award of any grant commits or obligates the Federal Government in any way to make any additional, supplemental, continuation, or other award with respect to any approved application or portion of an approved application.

[Approved under OMB Control Number 0925-0001]

§ 52a.7 For what purposes may a grantee spend grant funds?

A grantee shall only spend funds it receives under this part according to the approved application and budget,

§ 52a.8

the authorizing legislation, the terms and conditions of the award, the applicable cost principles prescribed in subpart Q of 45 CFR part 74 and 45 CFR 92.22, and the regulations of this part.

§ 52a.8 Other HHS regulations that apply.

Several other regulations and policies apply to this part. These include, but are not necessarily limited to:

- 42 CFR Part 50, Subpart A*—Responsibilities of PHS awardee and applicant institutions for dealing with and reporting possible misconduct in science
- 42 CFR Part 50, Subpart D*—Public Health Service grant appeals procedures
- 45 CFR Part 16*—Procedures of the Departmental Grant Appeals Board
- 45 CFR Part 46*—Protection of human subjects
- 45 CFR Part 74*—Administration of grants
- 45 CFR Part 75*—Informal grant appeals procedures
- 45 CFR Part 76*—Governmentwide debarment and suspension (nonprocurement) and governmentwide requirements for drug-free workplace (grants)
- 45 CFR Part 80*—Nondiscrimination under programs receiving Federal assistance through the Department of Health and Human Services—Effectuation of Title VI of the Civil Rights Act of 1964
- 45 CFR Part 81*—Practice and procedure for hearings under part 80 of this title
- 45 CFR Part 84*—Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from Federal financial assistance
- 45 CFR Part 86*—Nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from Federal financial assistance
- 45 CFR Part 91*—Nondiscrimination on the basis of age in HHS programs or activities receiving Federal financial assistance
- 45 CFR Part 92*—Uniform administrative requirements for grants and cooperative agreements to State and local governments
- 45 CFR Part 93*—New restrictions on lobbying
- 51 FR 16958 or successor*—NIH Guidelines for Research Involving Recombinant DNA Molecules
- Public Health Service Policy on Humane Care and Use of Laboratory Animals.

§ 52a.9 Additional conditions.

NIH may, with respect to any grant award, impose additional conditions prior to or at the time of any award when, in NIH's judgment, the conditions are necessary to assure or protect advancement of the approved program,

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the interests of the public health, or the conservation of grant funds.

PART 52b—NATIONAL CANCER INSTITUTE CONSTRUCTION GRANTS

Sec.

- 52b.1 Applicability.
- 52b.2 Definitions.
- 52b.3 Eligibility.
- 52b.4 Application.
- 52b.5 Evaluation.
- 52b.6 Other HHS regulations that apply.
- 52b.7 Rate of Federal financial participation.
- 52b.8 Terms and conditions.
- 52b.9 Acquisition of facilities.
- 52b.10 Additional conditions.
- 52b.11 Minimum standards of construction and equipment.

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216); sec. 406(b), 92 Stat. 3428 (42 U.S.C. 286a); sec. 404(b)(9), 92 Stat. 3427 (42 U.S.C. 285).

SOURCE: 45 FR 12243, Feb. 25, 1980, unless otherwise noted.

§ 52b.1 Applicability.

The provisions of this part apply to award of grants under section 406(b) of the Public Health Service Act for the construction of centers for clinical research, training and demonstration of advanced diagnostic and treatment methods relating to cancer, and to the award of grants under section 404(b)(9) for construction of basic research laboratory facilities.

§ 52b.2 Definitions.

(a) *Act* means the Public Health Service Act, as amended.

(b) *Director* means the Director of the National Cancer Institute and any officer or employee of the National Cancer Institute to whom the authority involved may be delegated.

(c) *Construction grant* means a grant of funds for construction pursuant to sections 406(b) and 404(b)(9) of the Act, and in accordance with these regulations.

(d) *Construction* includes the construction of new buildings; acquisition of land or existing buildings provided such acquisition occurs after the filing of the application; the expansion, remodeling, and alteration of existing buildings provided the cost of such expansion, remodeling, and alteration is